

Assembly Bill No. 2770

Passed the Assembly August 31, 2002

Chief Clerk of the Assembly

Passed the Senate August 31, 2002

Secretary of the Senate

This bill was received by the Governor this _____ day of
_____, 2002, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Sections 40194 and 40201 of, and to add Sections 40117 and 40507.1 to, the Public Resources Code, relating to solid waste and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2770, Matthews. Solid waste: conversion technologies.

Existing law, the California Integrated Waste Management Act, requires the California Integrated Waste Management Board to administer state programs to recycle solid waste, plastic trash bags, plastic packaging containers, waste tires, newsprint, and other specified materials. Existing law provides for an external scientific peer review process to review the scientific basis of a regulation or policy proposed by the agencies, boards, and departments within the California Environmental Protection Agency.

This bill would define the term “gasification” for purposes of the act. The bill would revise the definition of the term “solid waste facility” to include a gasification facility, and would revise the definition of the term “transformation” to exclude gasification. The bill would require the board to include, as part of the annual report required to be submitted by the board to the Legislature on or before March 1, 2003, a report on new and emerging conversion technologies, including, but not limited to, noncombustion thermal technologies, including gasification and pyrolysis, chemical technologies such as acid hydrolysis or distillation, and specified biological technologies. The bill would require the report to be subject to a specified external scientific peer review process and to consult with the State Energy Resources Conservation and Development Commission and other state, federal, or international governmental agencies in preparing the report.

The bill would appropriate \$1,500,000 from the Integrated Waste Management Account to the board to prepare the report.

Appropriation: yes.



The people of the State of California do enact as follows:

SECTION 1. Section 40117 is added to the Public Resources Code, to read:

40117. “Gasification” means a technology that uses a noncombustion thermal process to convert solid waste to a clean burning fuel for the purpose of generating electricity, and that, at minimum, meets all of the following criteria:

(a) The technology does not use air or oxygen in the conversion process, except ambient air to maintain temperature control.

(b) The technology produces no discharges of air contaminants or emissions, including greenhouse gases, as defined in subdivision (g) of Section 42801.1 of the Health and Safety Code.

(c) The technology produces no discharges to surface or groundwaters of the state.

(d) The technology produces no hazardous waste.

(e) To the maximum extent feasible, the technology removes all recyclable materials and marketable green waste compostable materials from the solid waste stream prior to the conversion process and the owner or operator of the facility certifies that those materials will be recycled or composted.

(f) The facility where the technology is used is in compliance with all applicable laws, regulations, and ordinances.

(g) The facility certifies to the board that any local agency sending solid waste to the facility is in compliance with this division and has reduced, recycled, or composted solid waste to the maximum extent feasible, and the board makes a finding that the local agency has diverted at least 30 percent of all solid waste through source reduction, recycling, and composting.

SEC. 2. Section 40194 of the Public Resources Code is amended to read:

40194. “Solid waste facility” includes a solid waste transfer or processing station, a composting facility, a gasification facility, a transformation facility, and a disposal facility.

SEC. 3. Section 40201 of the Public Resources Code is amended to read:

40201. “Transformation” means incineration, pyrolysis, distillation, or biological conversion other than composting. “Transformation” does not include composting, gasification, or biomass conversion.



SEC. 4. Section 40507.1 is added to the Public Resources Code, to read:

40507.1. (a) As part of the annual report required to be submitted by the board to the Legislature pursuant to Section 40507 on or before March 1, 2003, the board shall include a report on new and emerging conversion technologies, including, but not limited to, noncombustion thermal technologies, including gasification and pyrolysis, chemical technologies such as acid hydrolysis or distillation, and biological technologies, other than composting, such as enzyme hydrolysis. The board shall only evaluate those conversion technologies that provide demonstrated environmental benefits over the transformation and disposal of solid waste.

(b) The report required by subdivision (a) shall contain all of the following:

(1) Specific and discrete definitions and descriptions of each conversion technology evaluated.

(2) A description and evaluation of the life-cycle environmental and public health impacts of each conversion technology in comparison to those environmental and public health impacts from the transformation and disposal of solid waste.

(3) A description and evaluation of the technical performance characteristics, feedstocks, emissions, and residues used by each conversion technology and identification of the cleanest, least polluting conversion technologies.

(4) A description and evaluation of the impacts on the recycling and composting markets as a result of each conversion technology.

(c) The board shall require that the report be subject to an external scientific peer review process conducted pursuant to Section 57004 of the Health and Safety Code.

(d) The board shall consult with the State Energy Resources Conservation and Development Commission and other state, federal, or international governmental agencies in preparing the report required by this section.

SEC. 5. The sum of one million five hundred thousand dollars (\$1,500,000) is hereby appropriated from the Integrated Waste Management Account to the California Integrated Waste Management Board for purposes of preparing the report required by Section 40507.1 of the Health and Safety Code.



Approved _____, 2002

Governor

